

# Notice of Allowability

Application No.

10/061,835

Examiner

John T. Haran

Applicant(s)

LANDHERR ET AL.

Art Unit

1733

## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed on 11/26/04.
2. ☒ The allowed claim(s) is/are 15,17,18,20-46,87 and 89-100.
3. ☒ The drawings filed on 1/31/02 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

### Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

***Information Disclosure Statement***

1. In the response filed on 11/26/04, Applicant noted that the copies of the foreign references noted in the previous action as missing were filed with the response. However there is no indication that the copies were actually sent because they are not in the file. These references remain unconsidered.

**EXAMINER'S AMENDMENT**

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

3. The application has been amended as follows:

**In The Claims:**

Cancel claims 1-14, 47-86 and 88, which were non-elected without traverse.

***Allowable Subject Matter***

4. Claims 15, 17, 18, 20-46, 87, and 89-100 are allowed. It is noted that claims 93 and 94 are rejoined since they depend from an allowable claim.

5. The following is an examiner's statement of reasons for allowance:

Regarding claim 15, the prior art of record fails to suggest the claimed device for providing a connection between two flexible tube ends, particularly the combination of

having a prism operable to reflect the laser beam to heat the two tube ends and a light pipe operable for directing the laser beam to weld the two tube ends together.

Kagan (Infrared welding technology and developed materials for a new era, June 11-13, 2001) teaches welding two plastic parts together with a laser optics assembly wherein the plastic parts are spaced apart, a prism (mirror) is placed in between and a laser beam is directed towards the prism which redirects the laser beam to the two plastic parts, then the prism is removed from between the plastic parts, and the plastic parts are brought together to form a weld (See Figure 1). However there is no suggestion of having a light pipe operable to direct the laser beam in combination with the prism.

Regarding claims 25, 30, and 87, the prior art of record fails to suggest the claimed device for providing a connection between two flexible tube ends, particularly the combination of having a housing with slots/apertures adapted for receiving tube ends and a pair of guides positioned within the housing for guiding the tube into the housing.

JP 6-91010 is directed to a device for aseptic splicing of flexible tubes wherein the device uses a heat wafer to heat tube ends and tube holders bring the tube ends together to form a weld and the device is contained within a housing (See Figure 2). There is no suggestion or motivation for the housing having slots on the sides for receiving tubes because it appears the operation is done with the lid of the housing open and the tubes are manually placed in the tube holders so there is no need for a pair of guides.

Ivansons et al is directed to a device used for the connection of a plastic tube comprising a pair of tube holders (62) adapted to receive flexible tube ends and adapted to urge the two tube ends together after the two tube ends have been heated to join the heated tube ends together to form a weld (Figures 10 and 15 and Column 8, lines 54-62). The housing has slots (Figure 26) for receiving the tubes but there is no suggestion of having a pair of guides positioned within the housing for guiding the tube into the housing in combination with the slots/apertures.

6. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

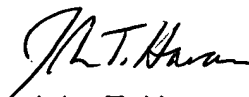
### ***Conclusion***

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **John T. Haran** whose telephone number is **(571) 272-1217**. The examiner can normally be reached on M-Th (8 - 5) and alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Blaine Copenheaver can be reached on (571) 272-1156. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



John T. Haran  
Examiner  
Art Unit 1733